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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY _____

Attorney for Plaintiff

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CHANDRA RUTHERFORD,

Plaintiff,

v.

ROSENTHAL, STEIN & ASSOCIATES
and DOES 1 through 10 inclusive,

Defendants.

CASE NO.:

CV11 06679 PJW

COMPLAINT FOR DAMAGES

Plaintiff, by and through her attorney, Amir J. Goldstein, Esq., as and for her complaint against the Defendant, ROSENTHAL, STEIN & ASSOCIATES, alleges as follows:

INTRODUCTION

1. This is an action for damages brought by an individual consumer for the Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* ("FDCPA") and the Rosenthal Fair Debt Collection Practices Act, California Civil Code § 1788, *et seq.* ("Rosenthal Act") which prohibits debt collectors from engaging in abusive, deceptive and unfair practices.

PARTIES

2. Plaintiff is a natural person residing in Antelope, California.
3. Upon information and belief, the Defendant is a debt collector as defined pursuant to 15 U.S.C. § 1692a(6) with its principal place of business in Atlanta, Georgia.

JURISDICTION

4. This Court has jurisdiction pursuant to 15 U.S.C. § 1692k (FDCPA) and 28 U.S.C. § 1331 and venue is proper in this district pursuant to 28 U.S.C. § 1391(c), as the venue is appropriate where the Defendant corporation is subject to jurisdiction in this district as it regularly conducts business in this district.

FIRST CAUSE OF ACTION

5. Plaintiff realleges paragraphs 1 through 4 as if fully restated herein.
6. That a personal debt was allegedly incurred by the Plaintiff.
7. That at a time unknown to the Plaintiff herein, the aforementioned debt was referred and/or assigned to the Defendant for collection.
8. That on or about June 2011, the Defendant made several calls to the Plaintiff in an attempt to collect a debt.

Count One

9. That during one such phone communication, **which lasted approximately 45 minutes**, Defendant reprimanded the Plaintiff for incurring the debt and for failing to pay it back.
10. That Defendant accused the Plaintiff of **“not sticking to her obligation.”**
11. That during said phone conversation, Defendant incessantly pressured the Plaintiff to make a payment **“in order to keep [the matter] from going to court.”**
12. That Defendant repeatedly asked the Plaintiff how much she could pay, to which the Plaintiff replied that she would try to pay \$50.

- 1 13. That Defendant responded, “...*I can’t have ‘TRY’...*” (*emphasis added*) and
2 accused the Plaintiff of not being cooperative.
- 3 14. That Defendant falsely threatened the Plaintiff with **arrest** and falsely claimed
4 that Plaintiff needed to **pay \$500 or risk going to jail**.
- 5 15. That Defendant mockingly stated, (in pertinent part) “**You don’t want your**
6 **daughter to know you’re going to jail for five years?”**
- 7 16. That Defendant falsely threatened the Plaintiff that her case would be **sent to**
8 **Sacramento County**.
- 9 17. That Defendant falsely accused the Plaintiff of **fraud**.
- 10 18. That Defendant unlawfully and unfairly pried into the Plaintiff’s personal and
11 private life by insisting that the Plaintiff should be able to pay off her debt since
12 she lives with her parents.
- 13 19. That under extreme pressure and duress, the Plaintiff gave Defendant her bank
14 card information so that Defendant could withdraw money from the Plaintiff’s
15 bank account.
- 16 20. That Defendant falsely warned the Plaintiff that if the money was not in her bank
17 account, an additional \$200 would be charged against the Plaintiff.
- 18 21. That upon information and belief, Defendant has no procedure to institute arrest
19 against consumers.
- 20 22. That upon information and belief, Defendant has no procedure by which “**fraud**”
21 is reported to “**Sacramento County**.”
- 22 23. That Defendant’s communications contain language demonstrating false
23 statements and deceptive representations, and misleading and overshadowing
24 language which contradicts the consumer’s rights in violation of 15 U.S.C.
25 §1692e and §1692g.
- 26 24. That Defendant falsely represented the character, amount and/or legal status of the
27 debt in violation of 15 U.S.C. §1692e.
- 28

1 36. That Defendant called phone number (916) 344-5829, a number belonging to
2 Plaintiff's parents, multiple times a day, including a daily phone call at 8:00 AM.

3 37. That the Plaintiff instructed Defendant to discontinue the phone calls to her
4 parent's line and gave Defendant her cell phone number, (916)595-4160, as this
5 was the best and most direct way to get in contact with her.

6 38. That despite Plaintiff's request, Defendant continued to call her parent's phone
7 number in an attempt to collect a debt.

8 39. That Defendant's conduct and communications harassed Plaintiff in violation of
9 15 U.S.C. §1692d.

10 40. That Defendant caused a telephone to ring repeatedly or continuously with intent
11 to annoy, abuse, or harass any person at the called number in violation of 15
12 U.S.C. §1692d.

13
14 *Count Four*

15 41. That during the phone communications, Defendant's agents failed to identify
16 themselves, the purpose of the phone calls or provide any meaningful disclosures
17 as required by law.

18 42. That Defendant's agents did not meaningfully identify themselves as
19 representatives of a debt collection agency, nor did they make the proper
20 disclosures as required per 15 U.S.C. §1692 d(6) and e(11).

21 43. That Defendant's conduct and communications harassed Plaintiff in violation of
22 15 U.S.C. §1692d.

23 44. That Defendant, in an attempt to collect a debt, engages in a pattern or practice of
24 communicating with consumers where the representations made by the Defendant
25 are harassing, confusing, misleading, deceptive and/or unfair.

26 45. That following Defendant's conduct, Plaintiff suffered actual damages, including,
27 but not limited to: stress, anxiety, aggravation, depression and sleepless nights.
28

1 46. That as a result of Defendant's communications, Plaintiff took medication to treat
2 her depression and took sleeping pills to help with her sleepless nights.

3 47. That Plaintiff suffered from a pre-existing medical condition known as eczema.
4 That Defendant's conduct caused full-blown eczema to erupt all over Plaintiff's
5 body. That because of the stress induced by Defendant's conduct, Plaintiff's
6 eczema was greatly exacerbated which forced the Plaintiff to medicate with
7 steroids.

8 48. That as a side effect of medicating with steroids, Plaintiff also suffered edema,
9 swollen legs and extreme pain.

10 49. That as a result of the extreme pain, Plaintiff was occasionally forced to
11 temporarily cease working in order to to relieve her body of the stress and
12 discomfort which arose from the edema.

13 50. That Defendant's conduct violates 15 U.S.C. 1692 et seq., including but not
14 limited to subsections (c), (d), (e), (f) and (g) in that the representations made by
15 the Defendant are abusive, false, confusing, misleading, deceptive, harassing,
16 unfair and fail to advise the consumer of his legal rights as required by law.

17 i. The Defendant violated 15 U.S.C. § 1692c by calling the Plaintiff at her
18 place of employment where Defendant knew and/or had reason to know
19 that the Plaintiff's employer prohibits the consumer from receiving such
20 communication.

21 ii. The Defendant violated 15 U.S.C. § 1692d by harassing the Plaintiff;

22 iii. The Defendant violated 15 U.S.C. § 1692e by failing to make proper
23 disclosures, by using false threats and by employing deceptive means in an
24 attempt to collect a debt

25 iv. The Defendant violated 15 U.S.C. § 1692f by engaging in unfair or
26 unconscionable means to collect or attempt to collect any debt ; and

27 v. The Defendant violated 15 U.S.C. § 1692g by contradicting plaintiff's
28 rights.

1 51. That as per 15 U.S.C. § 1692 et seq. and as a result of the above violation, the
 2 Defendant is liable to the Plaintiff for actual damages and statutory damages in an
 3 amount to be determined at the time of trial but not less than \$1,000.00 per
 4 violation, plus costs and attorney's fees.

5
 6 **AS AND FOR A SECOND CAUSE OF ACTION ON BEHALF OF PLAINTIFF**

7
 8 52. Plaintiff realleges paragraphs 1 through 51 as if fully restated herein.

9 53. The Rosenthal Fair Debt Collection Practices Act (Rosenthal Act), California
 10 Civil Code § 1788, et seq., prohibits unfair and deceptive acts and practices in the
 11 collection of consumer debts.

12 54. By its acts and practices as hereinabove described, the Defendant has violated the
 13 Rosenthal Act as follows, without limitation: a) The Defendant has violated
 14 §1788.13(i), which prohibits the false representation of the true nature of the
 15 business or services being rendered by the debt collector; b) By contradicting and
 16 overshadowing the consumers rights and failing to clearly and properly advise of
 17 debt collection notices required by law; c) By making false and deceptive
 18 representations deceptively and unlawfully threatened actions which can not
 19 legally be taken.

20 55. Pursuant to § 1788.30 of the Rosenthal Act, Plaintiff is entitled to recover her
 21 actual damages sustained as a result of the Defendant's violations of the Rosenthal
 22 Act. Such damages include, without limitation, statutory damages, any actual
 23 damages sustained, other resulting monetary losses and damages, and emotional
 24 distress suffered by Plaintiff, which damages are in an amount to be proven at
 25 trial.

26 56. In addition, because the Defendant's violations of the Rosenthal Act were
 27 committed willingly and knowingly, Plaintiff is entitled to recover, in addition to
 28

1 her actual damages, penalties of at least \$1,000 per violation as provided for in the
2 Act.

3 57. Pursuant to § 1788.30(c) Rosenthal Act, Plaintiff is entitled to recover all
4 attorneys' fees, costs and expenses incurred in the bringing of this action.

5
6 **WHEREFORE**, Plaintiffs respectfully prays that judgment be entered against Defendant in the
7 amount of:

8 (a) Statutory damages and actual damages pursuant to 15 U.S.C. § 1692k in an
9 amount to be determined at the time of trial on the first cause of action.

10 (b) Statutory damages and actual damages pursuant to Civil Code §1788.30 *et seq.*, as
11 to the second cause of action.

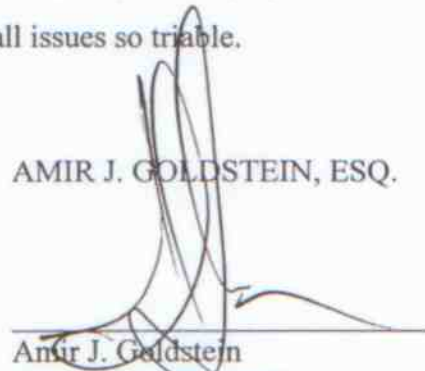
12 (c) Costs and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k and Civil
13 Code §1788.30, *et seq.*

14 (d) For such other and further relief as may be just and proper.

15 (e) Plaintiff requests trial by jury on all issues so triable.

16
17 Dated: August 10, 2011

AMIR J. GOLDSTEIN, ESQ.

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21 Amir J. Goldstein
22 Attorney for Plaintiff
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOTICE TO COUNSEL
(MAGISTRATE JUDGE CIVIL CONSENT PILOT PROJECT)

The court has directed that the following rules be specifically called to your attention:

- I. Notice of Right to Consent to Disposition of a Civil Case by a United States Magistrate Judge [28 U.S.C. § 636(c) and General Order 08-09].
- II. Continuing Obligation to Report Related Cases (Local Rule 83-1.3.3)
- III. Service of Papers and Process (Local Rule 4)

I. NOTICE OF RIGHT TO CONSENT TO DISPOSITION OF A CIVIL CASE BY A UNITED STATES MAGISTRATE

Pursuant to Local Rule 73-2, the initiating party must serve this notice and consent form CV-11C on each party at the time of service of the summons and complaint or other initial pleading.

This case has been randomly assigned to Magistrate Judge Walsh under the Civil Consent Pilot Project in accordance with General Order 08-09. The case number on all documents filed with the court should read as follows: CV 11-6679

The parties are advised that they may consent to have the assigned magistrate judge conduct all further proceedings in the case, including trial and final entry of judgment pursuant to 28 U.S.C. § 636(c) and Federal Rule of Civil Procedure 73. The parties may consent to proceed only before the assigned magistrate judge.

The parties are further advised that they are free to withhold consent without adverse substantive consequences. If the parties agree to the exercise of jurisdiction by the magistrate judge, the parties shall jointly or separately file a statement of consent setting forth such election. For cases originally filed in district court and initially assigned only to a magistrate judge, the statement of consent shall be filed within 30 days after service of the summons and complaint upon that defendant, and within 30 days by plaintiff after service upon the first-served defendant.

For cases removed from state court and initially assigned only to a magistrate judge, a joint or separate statements of consent shall be filed by plaintiff and all defendants upon whom service has been effected, within 11 days after the notice of removal is filed.

Since magistrate judges do not handle felony criminal trials, civil trial dates are not at risk of being preempted by a felony criminal trial, which normally has priority. Further, in some cases, the magistrate judge may be able to assign an earlier trial date than a district judge. There may be other advantages or disadvantages which you will want to consider.

Any appeal from a judgment of the magistrate judge shall be taken to the United States Court of Appeals in the same manner as an appeal from any other judgment of the district court in accordance with 28 U.S.C. § 636(c)(3).

If a party has not consented to the exercise of jurisdiction by the magistrate judge within the time

NAME, ADDRESS & TELEPHONE NUMBER OF ATTORNEY(S) OR PRO PER:

ATTORNEYS FOR:

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CHANDRA RUTHERFORD

Plaintiff(s),

CASE NUMBER

CV11- 6679 PJW

V.

**ROSENTHAL, STEIN &
ASSOCIATES AND DOES 1-10**

Defendant(s)

**STATEMENT OF CONSENT TO PROCEED BEFORE A
UNITED STATES MAGISTRATE JUDGE
(For use in Magistrate Judge
Civil Consent Pilot Project Cases only)**

**THIS FORM SHALL BE USED ONLY FOR CASES IN WHICH A MAGISTRATE JUDGE IS
INITIALLY ASSIGNED PURSUANT TO LOCAL RULE 73-2**

In accordance with General Order 11-06 and Local Rule 73-2 the above-captioned civil matter has been randomly assigned to Magistrate Judge WALSH. All parties to the above-captioned civil matter are to select one of the following two options and file this document with the Clerk's Office.

- ☒ In accordance with the provisions of 28 U.S.C. § 636(C) and F.R.Civ.P.73(b), the party or parties listed below to the above-captioned civil matter hereby waive their right to proceed before a District Judge and Consent to have the assigned Magistrate Judge Patrick J. Walsh conduct all further proceedings in the case, including trial and entry of final judgment.

Any appeal from a judgment of the assigned Magistrate Judge shall be taken to the United States Court of Appeals in the same manner as an appeal from any other judgment of the District Court in accordance with 28 U.S.C. § 636(c)(3).

- ☐ The party or parties listed below to the above-captioned civil matter Do Not Consent to proceed before the assigned Magistrate Judge Patrick J. Walsh.

The party or parties listed below acknowledge that they are free to withhold consent without adverse substantive consequences.

Name of Counsel (OR Party if Pro Per)

AMIR GOLDBSTEIN, ESQ.

Signature and date

 8/15/11

Counsel for (Name of Party or Parties)

C. RUTHERFORD, PLAINTIFF

- ☐ Party filing this form shall check this box if all parties have consented to proceed before the assigned Magistrate Judge

NOTICE TO COUNSEL FROM CLERK

All parties having consented to proceed before the assigned magistrate judge, this case will remain assigned to United States Magistrate Judge Patrick J. Walsh for all further proceedings.

Name & Address:

Amir J. Goldstein, Esq. (CA Bar No. 255620)
 5455 Wilshire Boulevard, Suite 1812
 Los Angeles, CA 90036
 Tel 323.937.0400
 Fax 866.288.9194

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

CHANDRA RUTHERFORD

CASE NUMBER

CV11 06679

PJW

PLAINTIFF(S)

v.

ROSENTHAL, STEIN & ASSOCIATES and DOES 1
 through 10 inclusive,

SUMMONS

DEFENDANT(S).

TO: DEFENDANT(S): ROSENTHAL, STEIN & ASSOCIATES

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Amir Goldstein, Esq., whose address is 5455 Wilshire Boulevard, Suite 1812, Los Angeles, CA 90036. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

AUG 15 2011

Dated: _____

By: _____

CHRISTOPHER POWERS

Deputy Clerk

(Seal of the Court)



[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

1181

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) CHANDRA RUTHERFORD		DEFENDANTS ROSENTHAL, STEIN & ASSOCIATES and DOES 1 through 10 inclusive																									
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Amir J. Goldstein, Esq. (CA Bar No. 255620) 5455 Wilshire Boulevard, Suite 1812, Los Angeles, CA 90036 Tel: 323.937.0400		Attorneys (If Known)																									
II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)		III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:33%;">Citizen of This State</td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:33%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td></td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		Citizen of This State	PTF	DEF		PTF	DEF		<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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V. REQUESTED IN COMPLAINT: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Check 'Yes' only if demanded in complaint.) CLASS ACTION under F.R.C.P. 23: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No MONEY DEMANDED IN COMPLAINT: \$																											
VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.) 15 USC 1692, et seq. violations of the Fair Debt Collection Practices Act ("FDCPA")																											
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NATURE OF SUIT (Place an X in one box only.) <table style="width:100%; border: none;"> <tr> <td style="width:20%; vertical-align: top;"> OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. 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Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609 </td> </tr> </table>						OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. 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Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609																
OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. 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CV11 06679

FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Sacramento County

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Georgia

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Sacramento County

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved.

X. SIGNATURE OF ATTORNEY (OR PRO PER): _____

Date

8/12/11

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended, plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))